Nova Scotia Freedom of Information and Protection of Privacy Act

2004 Annual Report

N.S. Department of Justice
May 1, 2005

Message from the Minister of Justice

In the spring of 2004, our government responded to recommendations from a committee that reviewed the *Freedom of Information and Protection of Privacy Act*. That committee was chaired by Mr. Peter O'Brien. One recommendation called on the Minister of Justice to issue an annual report on the *Freedom of Information and Protection of Privacy Act*. I accepted that recommendation, among others, and released the first such annual report in May 2004. This second annual report is evidence of my commitment to continue this important practice.

The following pages provide a thorough summary of activity under the *Freedom of Information and Protection of Privacy Act* over the most recent five years where data was available. In addition, for the first time we have been able to gather and provide statistics on all "public bodies" and municipalities that are known to receive Freedom of Information applications under the legislation. Because we rely on other organizations to provide statistics, we caution that we cannot guarantee 100 per cent accuracy. However, it is our view that the information contained in this report is a reasonably accurate representation of activities under the legislation. It does not, with the exception of fees, reflect the statistics of the Freedom of Information and Protection of Privacy Review Office, which publishes its own report.

In the fall of 2003, we also required all government departments, agencies, boards, and commissions to develop routine access policies so people would not have to file a formal Freedom of Information application. I am pleased to report that it is my understanding that all government departments, agencies, boards, and commissions known to currently receive formal applications under the *Act* now have such policies. In addition, all but a few can be easily accessed through government web sites. The statistics on the number of requests received through this process are not included here, but it is our intention to provide such a report at the end of the next fiscal year, to include routine access activity over a three-year period.

Hon. Michael G. Baker, Q.C.
Minister of Justice

Table 1[1]: Summary of 2000-2004[2] FOIPOP Applications

	# Received	# Completed	Full	Part	Denied	No Record	Excluded	30 Days	30+ Days	60+ Days
2000	764	593	214	212	88	79	-	381	135	77
2001	1072	788	274	285	70	144	15	501	216	71
2002	1037	910	271	416	56	136	31	535	238	137
2003	727	622	206	290	35	84	7	400	129	93
2004	857	748	237	386	33	83	9	464	192	92
Totals	**4,457**	**3661**	**1202**	**1589**	**282**	**526**	**62**	**2281**	**910**	**470**

Table 2 reflects Table 1 plus the addition of district health authorities, municipalities, and police services whose statistics had not been captured in previous years.

Table 2: Summary of 2004[3] FOIPOP Applications

	# Received	# Completed	Full	Part	Denied	No Record	Excluded Section 4	Neither confirm or deny Section 7(2)	30 Days	30+ Days	60+ Days
2004	1071	947	359	435	49	87	11	6	599	219	129

[1] Source: Office of the FOIPOP Coordinator, N.S. Department of Justice

[2] On this table and all subsequent tables (except where otherwise noted), the stats include school boards and universities since 2000, but do not include regional health authorities or hospitals who have been under the *Act* since 1994. Also, these statistics do not include municipalities which were covered under FOIPOP provision of Part XX of the *Municipal Government Act* as of April 1, 1999. The statistics do include all government departments, as well as agencies, boards, and commissions, and the NS Community College, known to have received FOIPOP applications.

[3] The stats for this table include all public bodies covered under the *FOIPOP Act* and *Part XX of the Municipal Government Act* (i.e. N.S. Government, school boards, universities, district health authorities, municipalities, and police services). Statistics for district health authorities, municipalities, and police services were captured for the first time in 2004.

Table 3: 2000-2004 Access Decisions and Response Times by Percentage

	Full	Part	Denied	No Record	Excluded	0-30 Days	30-60 Days	60+ Days
2000	36.1	35.8	14.8	13.3	0	64.2	22.8	13
2001[4]	34.8	36.2	8.9	18.3	1.9	63.6	27.4	9
2002	29.8	45.7	6.2	14.9	3.4	58.8[5]	26.2	15.1
2003	33.1	46.6	5.6	13.4	1.1	64.4[6]	20.6	14.8
2004	31.7	51.6	4.4	11.1	1.2	62	25.7	12.3
Totals	**33.1%**	**43.2%**	**8.0%**	**14.2%**	**1.5%**	**62.6%**	**24.6%**	**12.8%**

Table 4: 2001-2004[7] FOIPOP Application By Information Type

	# Received	Personal	General	Personal/ General	# Completed	Personal	General	Personal/ General
2001	687	119	541	27	497	83	396	18
2002	981	260	631	90	858	232	543	83
2003	678	177	416	85	577	143	370	64
2004	779	141	520	118	674	142	433	99
Totals	**3,125**	**697**	**2,108**	**320**	**2606**	**600**	**1742**	**264**

[4]Percentage totals more than 100% because of rounding.

[5]Percentage totals more than 100% because of rounding.

[6]Percentage totals less than 100% because of rounding.

[7]The following table includes information only for those departments on the Government Network. A detailed listing of those departments on the Government Network is listed on page 7. The information for this category is not currently available for those departments not on the Government Network. It thus does not include a breakdown of personal and general information for universities, school boards, municipalities, district health authorities, and hospitals.

Table 5: 2001-2004 Source of FOIPOP Applications by Percentage

	# Received	Academic	Media	Political Party	Public	Business	Other	Public Interest
2001	1072	0	11.7	22.9	43.9	8.9	5.6	7
2002	1037	0.8	11.2	26.9	48.1	6	4	3
2003	727	0.8	7.6	19.1	46.5	22	3.2	0.8
2004	857	0.2	3.4	27.8	40.3	22.6	3.3	2.4
Totals	**4823**	**0.4%**	**8.5%**	**24.2%**	**44.7%**	**14.9%**	**4.0%**	**3.3%**

Table 6: 2000-2004 FOIPOP Fees Collected

Year	Record of Fees Collected
2000	$9,172.21
2001	$5,584.60
2002	$15,931.10 processing fees 775.00 review fees
2003	$17,155.56 processing fees 1,125.00 review fees
2004	$27,792.10 processing fees 1,225.00 review fees
Total Fees	**$78,760.57**

Table 7 reflects Table 6 plus the addition of the fees collected by district health authorities, municipalities, and police services whose statistics on fees had not been captured in previous years.

Table 7: 2004[8] FOIPOP Fees Collected

Year	Record of Fees Collected
2004	$31,505.75 processing fees 1,225.00 review fees
Total Fees	**$32,730.75**

[8] The stats for this table include all public bodies covered under the *FOIPOP Act* and *Part XX of the Municipal Government Act* (i.e. N.S. Government, school boards, universities, district health authorities, municipalities and police services).

Table 8: 2004 Applications by Government Department or Public Body

Department Name	Total # FOIPOP Applications Received	Total # FOIPOP Applications Completed
Departments on the Tracking System		
Aboriginal Affairs	0	0
Agriculture and Fisheries	6	4
Archives and Records Management	0	0
Communications NS	1	0
Community Services	122	107
Economic Development	22	11
Education	31	21
Emergency Measures Organization	0	0
Environment and Labour	325	299
Energy	5	4
Executive Council	7	4
Finance	15	14
Health	71	68
Human Rights Commission	4	4
Intergovernmental Affairs	3	3
Justice	45	44
Natural Resources	21	20
Nova Scotia Business Inc.	17	8
Nova Scotia Insurance Review Board	1	1
Office of Health Promotion	9	6
Police Commission	1	1
Premiers Office	3	3
Public Prosecution Service	14	10
Public Service Commission	6	4
Securities Commission	0	0
Service Nova Scotia and Municipal Relations	20	18

Department Name	Total # FOIPOP Applications Received	Total # FOIPOP Applications Completed
Sport and Rec Commission	1	1
Tourism and Culture	6	6
Transportation and Public Works	19	9
Treasury and Policy Board	4	4
Utility and Review Board	0	0
Workers Compensation Appeals Tribunal	0	0
Public Bodies Not on the Government Network		
Colchester County Children's Aid Society	1	1
NS Community College	0	0
Halifax-Dartmouth Bridge Commission	0	0
In*NOVA*Corp Inc.	0	0
NS Film Development	1	0
NS Gaming Corporation	6	6
NS Legal Aid	0	0
NS Liquor Commission	18	18
NS Public Service LTD Plan	1	1
School Boards and Universities	35	33
Waterfront Development	3	3
Trade Centre Ltd.	4	3
Workers Compensation Board	9	9
Total	**857**	**748**

Table 9: 2003 Applications by Government Department or Public Body

Department Name	Total # FOIPOP Applications Received	Total # FOIPOP Applications Completed
Departments on the Tracking System		
Aboriginal Affairs	0	0
Agriculture and Fisheries	6	7
Archives and Records Management	0	0
Communications NS	1	1
Community Services	92	67
Economic Development	4	6
Education	15	10
Emergency Measures Organization	0	0
Environment and Labour	302	262
Energy	4	4
Executive Council	9	9
Finance	16	11
Health	83	62
Human Rights Commission	7	3
Intergovernmental Affairs	4	4
Justice	32	31
Natural Resources	16	13
Nova Scotia Business Inc.	4	8
Office of Health Promotion	3	3
Police Commission	1	0
Premiers Office	9	11
Public Prosecution Service	16	16
Public Service Commission	6	3
Securities and Exchange Commission	0	0
Service Nova Scotia and Municipal Relations	13	15
Tourism and Culture	4	5

Department Name	Total # FOIPOP Applications Received	Total # FOIPOP Applications Completed
Transportation and Public Works	23	21
Treasury and Policy Board	8	7
Utility and Review Board	0	0
Workers Compensation Appeals Tribunal	0	0
Public Bodies Not on the Government Network		
Halifax-Dartmouth Bridge Commission	0	0
Community College	0	0
Film Development Corporation	2	2
Gaming Corporation	1	1
In*NOVA*Corp Inc.	1	1
Legal Aid	0	0
Nova Scotia Liquor Commission	8	8
NS Resources	0	0
School Boards	7	5
Universities	24	20
Waterfront Development	0	0
Workers Compensation Board	6	6
World Trade Centre Ltd.	0	0
Total	**727**	**622**